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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91254047
Party	Defendant Extreme Copper Incorporated
Correspondence Address	ROBERT NINO EXTREME COPPER INCORPORATED 107 N REINO RD SUITE 233 NEWBURY PARK, CA 91320 UNITED STATES rob@extremecopper.com no phone number provided
Submission	Other Motions/Papers
Filer's Name	Robert Nino
Filer's email	rob@extremecopper.com
Signature	/Robert Nino/
Date	05/26/2020
Attachments	4208499 Attachment revised motion to amend and certificate of service 05-26-20.pdf(51394 bytes )

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding 91254047 Defendant Extreme Copper, Inc.

Correspondence Address ROBERT NINO, EXTREME COPPER, INC. 107 N. REINO ROAD, NEWBURY PARK, CA 93021, UNITED STATES, rob@extremecopper.com, 805-907-2328, 818-230-2477

Submission Other Motions/Papers Filer's Name Robert Nino Filer's email rob@extremecopper.com, Signature /Robert Nino/ Date 05/26/2020 Attachments Revised Motion to Proposed Amendments.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD Proceeding 91254047 Party Defendant Extreme Copper, Inc. Robert Nino, Extreme Copper Inc. Other Party Plaintiff, Leviton Manufacturing Co., Inc.

Revised Motion to Proposed Amendment

The description of goods and services pertaining to EXTREME COPPER Application No. 88353833, which is the subject of the Opposition Proceedings should be amended pursuant to 37 C.F.R 2.133 (a) as set forth below:

EXTREME COPPER Application NO. 88353833

The description of goods and services in its current revision presently reads as follows:

“Computer hardware; Computer hardware and computer peripheral devices; Computer hardware and computer peripherals; Computer hardware and peripheral devices; Computer hardware and peripheral devices and recorded computer software for data communication and translating and transmitting data sold therewith; Computer hardware and peripherals; Computer hardware and peripherals therefor; Computer hardware and recorded software for setting up and configuring local area networks sold as a unit; Computer hardware and recorded software for setting up and configuring wide area networks sold as a unit; Computer hardware and recorded software system for remotely monitoring environmental conditions and controlling devices within a building, facility, grounds, or designated spatial area; Computer hardware for the active transmission of audio, video and data between computers via a global computer network, wide-area computer networks, and peer-to-peer computer networks; Computer hardware for IP video surveillance; Computer hardware, namely, firewalls; Computer hardware, namely, wireless network extenders; Computer hardware, namely, wireless network repeaters; Computers and computer hardware; Broadband power line communication systems for transferring broadband data actively over electrical power lines, comprised of computer hardware, software and modems; Communications servers; Electronic communications systems comprised of computer hardware and software for the active transmission of data between two points; Gateway routers in the nature of computer control hardware; Optical communications systems comprised of optical and electronic

hardware and computer software for the active transmission of data between two points; all of the foregoing goods containing copper for the active transmission of audio, video and data.”

Pursuant to a settlement agreement as a result of an opposition filing by Leviton Manufacturing Co., Inc. (TTAB 91254047) and further request for clarification by USPTO, Extreme Copper, Inc. files this revised Motion to Amend the Listing of Goods in the and for the pending application under USPTO Serial Number 88353833.

Proposed further revision to the amendments to the description of goods is therefore, as follows in the redlined version and the final proposed amended version below:

“Computer hardware; Computer hardware and computer peripheral devices; Computer hardware and computer peripherals; Computer hardware and peripheral devices; Computer hardware and peripheral devices and recorded computer software for data communication and translating and transmitting data sold therewith; Computer hardware and peripherals; Computer hardware and peripherals therefor; Computer hardware and recorded software for setting up and configuring local area networks sold as a unit; Computer hardware and recorded software for setting up and configuring wide area networks sold as a unit; Computer hardware and recorded software system for remotely monitoring environmental conditions and controlling devices within a building, facility, grounds, or designated spatial area; Computer hardware for the active transmission of audio, video and data between computers via a global computer network, wide-area computer networks, and peer-to-peer computer networks; Computer hardware for IP video surveillance; hardware, namely, firewalls; Computer hardware, namely, wireless network extenders; Computer hardware, namely, wireless network repeaters; Computers and computer hardware; Broadband power line communication systems for transferring broadband data actively over electrical power lines, comprised of computer hardware, software and modems; Communications servers; Electronic communications systems comprised of computer hardware and software for the active transmission of data between two points; Gateway routers in the nature of computer control hardware; Optical communications systems comprised of optical and electronic hardware and computer software for the active transmission of data between two points; all of the foregoing goods containing copper **for use in connection with Ethernet extension and network extension** for the active transmission of audio, video and data.”

Thus, the proposed restricted recitation of goods shall read as follows:

“Computer hardware; Computer hardware and computer peripheral devices; Computer hardware and computer peripherals; Computer hardware and peripheral devices; Computer hardware and peripheral devices and recorded computer software for data communication and translating and transmitting data sold therewith; Computer hardware and peripherals; Computer hardware and peripherals therefor; Computer hardware and recorded software for setting up and configuring local area networks sold as a unit; Computer hardware and recorded software for setting up and configuring wide area networks sold as a unit; Computer hardware and recorded software system for remotely monitoring environmental conditions and controlling devices within a building, facility, grounds, or designated spatial area; Computer hardware for the active transmission of audio, video and data between computers via a global computer network, wide-area computer networks, and peer-to-peer computer networks; Computer hardware for IP video surveillance; hardware, namely, firewalls; Computer hardware, namely, wireless network extenders; Computer hardware, namely, wireless network repeaters; Computers and computer hardware; Broadband power line communication systems for transferring broadband data actively over electrical power lines, comprised of computer hardware, software and modems; Communications servers; Electronic communications systems comprised of computer hardware and software for the active transmission of data between two points; Gateway routers in the nature of computer control hardware; Optical communications systems comprised of optical and electronic hardware and computer software for the active transmission of data between two points; all of the foregoing goods containing copper for use in connection with Ethernet extension and network extension for the active transmission of audio, video and data.”

Respectfully submitted,

/Robert Nino/

President, Extreme Copper, Inc., [rob@extremecopper.com](mailto:rob@extremecopper.com)

Dated: 5/26/2020

**CERTIFICATE OF SERVICE**

I, Robert Nino, hereby certify that a true and complete copy of the foregoing revised Motion to Amend has been served to Kathryn M. Milam by forwarding said copy on May 26, 2020, via First Class Mail to: Kathryn M. Milam, Leviton Manufacturing Co, Inc., 2222 222<sup>ND</sup> Street, SE, Bothell, WA 98021-4416 and via email to Kathryn M. Milam, [kmilam@leviton.com](mailto:kmilam@leviton.com).

Signature: /Robert Nino/ \_\_\_\_\_

Robert Nino

Date: May 26, 2020